

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, DECEMBER 6, 2002

APPLICATION OF

ACC TELECOMMUNICATIONS OF
VIRGINIA, LLC

CASE NO. PUC-2002-00214

To discontinue local exchange and
interexchange telecommunications
services in certain areas of
Virginia

ORDER PERMITTING PARTIAL DISCONTINUANCE OF SERVICES

On November 12, 2002, ACC Telecommunications of Virginia, LLC ("ACC" or the "Company"),¹ filed an application with the State Corporation Commission ("Commission") requesting Commission approval to discontinue its provision of telecommunications services to customers in Virginia except for the Charlottesville and Richmond metropolitan areas. The Company's application specifically requests approval to discontinue its facilities-based and resale services to exchanges in and around Roanoke, Salem, Martinsville, and Blacksburg, Virginia. ACC states that it currently serves approximately 1,102 customers in the areas affected by the

¹ The application states that ACC is now ACC Telecommunications of Virginia, LLC, Debtor-in-Possession pursuant to a *pro forma* assignment triggered by its parent company's June 25, 2002, petition for relief under Chapter 11 of Title 11 of the United States Code. See Adelphia Communications Corporation, et al., Case No. 02-41729 (REG) (Bankr. S.D.N.Y., June 25, 2002).

proposed discontinuance. In its application, ACC states that it has made a business decision to discontinue service in non-cash flow positive markets.²

The Company proposes to discontinue telecommunications services to Roanoke, Salem, Martinsville, and Blacksburg on or before November 30, 2002, for customers sent notice on October 30, 2002, and December 6, 2002, for customers sent notice on November 6, 2002. Customers were provided notice of the discontinuance via first-class mail on October 30, 2002, and November 6, 2002.

The Commission's primary concern with authorizing any discontinuance of telecommunications services is that adequate notice to the customers be provided. The Commission's rule regarding partial discontinuance, 20 VAC 5-423-30 (Requirements for Partial Discontinuance), requires that an application include a description of the customer notification efforts and that customers be provided at least 30 days' written notice of a proposed partial discontinuation of telecommunications services. ACC's customers were provided 30 days' notice of the pending discontinuance of telecommunications services.

² The application states that the Company will continue to provide telecommunications services in the Charlottesville and Richmond areas of Virginia.

NOW THE COMMISSION, being sufficiently advised, will grant the requested partial discontinuance of local exchange and interexchange telecommunications services.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUC-2002-00214.

(2) On or before December 5, 2002, ACC shall report to the Commission's Division of Communications the number of any remaining customers in and around Roanoke, Salem, Martinsville, and Blacksburg, Virginia, affected by the proposed discontinuance.

(3) ACC is hereby granted authority to discontinue its provision of local exchange and interexchange telecommunications services to customers in and around Roanoke, Salem, Martinsville, and Blacksburg, Virginia, effective December 6, 2002.

(4) ACC shall provide proposed revised tariffs to the Division of Communications that reflect ACC's revised service area within thirty (30) days of the date of this Order.

(5) There being nothing further to come before the Commission in this matter, this case shall be closed, and the papers herein shall be placed in the file for ended causes.